Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (currently amended) A fireplace for simulating a natural fire, comprising:

a front panel; and

a flame simulation apparatus ~~viewable through the front panel, wherein the flame simulation apparatus comprises~~ including a flame element directly viewable through the front panel and coupled to a device that alters the position of the flame element.

2. (original) The fireplace of claim 1, wherein the device comprises a blower positioned to blow air upon and alter the position of the flame element.

3. (currently amended) The fireplace of claim 1, wherein the device comprises a ~~mechanical means to move~~ moving means for moving the flame element from a fixed position.

4. (withdrawn) The fireplace of claim 3, wherein the ~~mechanical~~ moving means comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

5. (currently amended) The fireplace of claim 1, wherein the device comprises:

a blower coupled to the flame element to alter the position of the flame element; and

~~a mechanical means to move~~ moving means for moving the flame element from a fixed position.

6. (withdrawn) The fireplace of claim 5, wherein the ~~mechanical~~ moving means comprises:

an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

7. (original) The fireplace of claim 1, further comprising a light source positioned to direct light upon the flame element.

8. (original) The fireplace of claim 1, wherein the flame element comprises a silk material.

9. (original) The fireplace of claim 1, wherein the flame element comprises a body portion and an edge portion; and wherein the edge portion is treated with a stiffening material.

10. (original) The fireplace of claim 1, further comprising a back panel and side panels enclosing the flame simulation apparatus, wherein the back panel and side panels comprise a partial mirrored surface to produce a reflection of the flame element.

11. (original) The fireplace of claim 1, further comprising a log set positioned between the front panel and the flame element.

12. (currently amended) A fireplace for simulating a natural fire comprising:

an enclosure defining a chamber;

a flame element ~~viewable to the observer~~ disposed within the chamber and viewable to the observer; and

a device coupled to the flame element to alter the position of the flame element.

13. (original) The fireplace of claim 12, wherein the device comprises a blower positioned to alter the position of the flame element.

14. (currently amended) The fireplace of claim 12, wherein the device comprises a ~~mechanical means to move~~ moving means for moving the flame element from a fixed position.

15. (withdrawn) The fireplace of claim 14, wherein the ~~mechanical~~ moving means comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

16. (currently amended) The fireplace of claim 12, wherein the device comprises:

a blower coupled to the flame element to alter the position of the flame element; and

~~a mechanical means to move~~ moving means for moving the flame element from a fixed position.

17. (withdrawn) The fireplace of claim 16, wherein the ~~mechanical~~ moving means comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

18. (original) The fireplace of claim 12, further comprising a light source positioned to direct light upon the flame element.

19. (original) The fireplace of claim 12, wherein the flame element comprises a silk material.

20. (original) The fireplace of claim 12, wherein the flame element comprises a body portion and an edge portion; and wherein the edge portion is treated with a stiffening material.

21. (original) The fireplace of claim 12, wherein the enclosure comprises a front panel, a back panel, a bottom panel, a top panel and side panels; and wherein the back panel and side panels comprise a partial mirrored surface to produce a reflection of the flame element.

22. (original) The fireplace of claim 12, further comprising a log set disposed within the chamber.

23. (currently amended) A flame simulation apparatus for simulating a fire, the flame simulation apparatus comprising:

a flame element viewable to the observer; and

a mechanical ~~means~~ device coupled to the flame element that ~~moves~~ rotates the flame element ~~from a fixed position~~ about a vertical axis.

24. (withdrawn) The flame simulation apparatus of claim 23, wherein the mechanical ~~means~~ device comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley, wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

25. (original) The flame simulation apparatus of claim 23, further comprising a light source positioned to direct light upon the flame element.

26. (original) The flame simulation apparatus of claim 23, wherein the flame element comprises a silk material.

27. (original) The flame simulation apparatus of claim 23, wherein the flame element comprises a body portion and an edge portion; and wherein the edge portion is treated with stiffening material.

28. (currently amended) The flame simulation apparatus of claim 23, further comprising ~~the step of providing~~ a blower coupled to the flame element to alter the position of the flame element.

29. (currently amended) An apparatus for simulating a fire, the apparatus comprising:

an enclosure defining a chamber; and

a flame simulation apparatus disposed within the chamber, wherein the flame simulation apparatus comprises a flame element viewable to the observer coupled to a ~~mechanical~~ moving means for moving the flame element ~~from a fixed position~~ about a vertical axis.

30. (withdrawn) The apparatus of claim 29, wherein the ~~mechanical~~ moving means comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

31. (original) The apparatus of claim 29, wherein the apparatus further comprises a blower coupled to the flame element to alter the position of the flame element.

32. (original) The apparatus of claim 29, further comprising a light source positioned to direct light upon the flame element.

33. (original) The apparatus of claim 29, wherein the flame element comprises a silk material.

34. (original) The apparatus of claim 29, wherein the flame element comprises a body portion and an edge portion; and wherein the edge portion is treated with a stiffening material.

35. (original) The apparatus of claim 29, wherein the enclosure comprises a front panel, a back panel, a bottom panel, a top panel and side panels; and wherein the back panel and side panels comprise a partial mirrored surface to produce a reflection of the flame element.

36. (original) The apparatus of claim 29, further comprising a log set disposed within the chamber.

37. (currently amended) A method for simulating a flame of a fire, comprising the steps of:

providing a flame element viewable to the observer; and

coupling the flame element to a ~~mechanical~~ moving means ~~that moves~~ for moving the flame element from a fixed position.

38. (withdrawn) The method of claim 37, wherein the ~~mechanical~~ moving means comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

39. (original) The method of claim 37, further comprising the step of providing a blower positioned to move the flame element.

40. (original) The method of claim 37, further comprising the step of providing a light source positioned to direct light upon the flame element.

41. (original) The method of claim 37, wherein the flame element comprises a silk material.

42. (original) The method of claim 37, further comprising the step of treating an edge portion of the flame element with a stiffening material.

43. (currently amended) A method for simulating a fire within a fireplace, comprising the steps of:

providing an enclosure, wherein the enclosure defines a chamber;

disposing a flame element viewable to the observer within the chamber; and

coupling the flame element to a mechanical ~~means that moves~~ structure configured to move the flame element from a fixed position.

44. (withdrawn) The method of claim 43, wherein the mechanical ~~means~~ structure comprises an electric motor coupled to a drive pulley and a drive belt coupling the drive pulley to an idler pulley; and wherein the flame element is coupled to the idler pulley to produce rotary motion of the flame element.

45. (original) The method of claim 43, further comprising the step of providing a blower positioned to move the flame element.

46. (original) The method of claim 43, further comprising the step of providing a light source positioned to direct light upon the flame element.

47. (original) The method of claim 43, wherein the flame element comprises a silk material.

48. (original) The method of claim 43, further comprising the step of treating an edge portion of the flame element with a stiffening material.